

MARNIE SHIELDS: This is Marnie Shiels. I'm here to talk to you about the Violence Against Women Act of 2022. I will try not to talk too fast, but if I do, Emma and Elizabeth will jump in and remind me to slow down. I'm happy to just take questions as I go. I'll try to also pause periodically. But if you think of a question, I don't want you to have to write it down or have to remember it. So, please just type it in the chat, and I'll try to answer things as they come so that it goes with the flow of what I'm talking about at that particular time rather than having to come back to something later. Also, just to note, particularly for the STOP administrators on the call, we know the FAQs are out-of-date, and I know you've seen me before saying, "We're updating the FAQs. We're updating the FAQs," and we really are updating the FAQs. Melissa is going to be taking notes of your questions so that we can consider adding them to the FAQs if we get questions that we don't already have noted for that update, so that way, everyone can benefit from the questions that you're asking. So, no question is stupid. Whatever is on your mind, feel free to just type it in the chat and we'll go from there.

To lay the framework a little bit for what I'm about to talk about, there're different kinds of changes in VAWA 2022. There are the ones that are going to impact you the most because they directly affect your program, and so I will spend the most time on those things. And then sort of the second tier is the things that affect our grants but not necessarily the formula grants. So, for example, I will talk a little bit about the changes to like ICJR in rural and other programs because I know you might also be grantees of or apply for those programs and so the information might be useful to you. And then, the third tier is sort of other random things that might be of interest, and so I have those included in the slides, but I will not spend a lot of time on them just because it's more, "Here's something interesting, FYI," rather than something that's going to impact you the same way that the grant changes are going to.

And so, as you know, VAWA has this section of overarching definitions and grant conditions that apply to all of our programs. And I'm going to focus on the particular definitions, again, that impact these programs the most, and so, I will go into what definitions have changed that are relevant to you and what definitions are new that are relevant. First, we have domestic violence. And domestic violence now has two parts. So, this first part that you're seeing is not for victim services. It's for everything but victim services. And then, the second part of the definition is for victim services. If you're a domestic violence or dual coalition, you're probably also going to want to look at that victim services definition primarily because you're helping to coordinate victim services and you think about the structure of victim services in your state and those kinds of things. So, you would want to look at the broader domestic violence definition. The big change for this not victim services definition is that the felony or misdemeanor crimes no longer have to be crimes of violence. That's why I crossed that part out, but, otherwise, it's the same.

The second part, which is all new, in the case of victim services, this one is more focused on different types of abuse, use, or attempted use of these different types of abuse, so physical abuse, sexual abuse, pattern of other coercive behavior to gain or maintain power and control over a victim. It also encompasses that power and control dynamic, and then it also includes verbal, psychological, economic, or technological abuse. Note as we go through there, new definitions of economic abuse and technological abuse that are going to be relevant in understanding this definition of domestic violence. And then, you know, you have to have the question of who are the relationships in this domestic violence situation. I'm going to go back to this one. For the not-victim services, it's still a current or former spouse or intimate partner under the family or domestic violence laws of the jurisdiction. But now, for victim services, there're more options. There's a current or former spouse or intimate partner, somebody similarly situated to a spouse. There's somebody cohabiting or cohabited as a spouse or intimate partner, somebody with a child in common, or the sort of catch-all, commits acts against a youth or adult victim who is protected from those acts under the family or domestic violence laws of the jurisdiction. So, that same catch-all.

So, next is, as I alluded, is economic abuse, which is part of that definition of domestic violence. So, economic abuse is coercive, deceptive, or unreasonably controls or restrains a person's ability to acquire, use, or maintain economic resources. And then there's some examples. Things like restricting the person's access to money or their access to credit, using the person's economic resources, exerting undue influence over the person's financial and economic behavior and decisions. And these are in the slides, so you're able to read it at your leisure. I'm not going to read the whole thing because that would be unduly boring but feel free to ask questions. Oh, and I see Melissa. Thank you for the reminder, for folks, that they can download the presentation from the event portal by clicking on the "Materials" button. And then, that's where you'll have all this detail, and you can then read it at your leisure.

Then, we have technological abuse, which occurs with all four of our crimes. As they describe it, it's not limited to domestic violence. So, where it comes up in the statute is part of the definition of domestic violence: intended to harm, threaten, intimidate, et cetera using a form of technology. And they give examples: Internet-enabled devices, online platforms, computers, phones, apps, et cetera. They even include emerging technologies. So, if there's something that isn't out yet, but comes out, it's a technology that you can stalk or abuse somebody through, and it would be covered by this definition.

Then the next definition I have is in certain grant programs, specifically in the STOP program, there is a new purpose area for this, and in the underserved program, there is a purpose area for this. But there's also an overarching provision that is relevant that I will get to shortly. That overarching provision obviously will affect every program. And

so, this is defining female genital mutilation or cutting, which is often abbreviated as FGM/C. And so, it's procedures that are performed for non-medical reasons involving partial or total removal of, or other injury to, external female genitalia. And then they give some specific examples of the types of procedures that are covered within this definition. Then, we have forced marriage, which is also related to a new overarching condition, so relevant to all programs. It's a marriage to which one or both parties do not or cannot consent, and in which one or more elements of force, fraud, or coercion is present. Okay. Legal assistance has had some significant changes to the definition. So, there're new people that can be performing the services, and there're new types of cases that can be addressed through legal assistance. And I will get to this later when I get to the definition of victim services, but this definition becomes more important because all of our programs that do victim services can now do full legal assistance. That was one of the very significant changes in this act.

So, legal assistance is under the supervision of a person described in B to an adult, youth, or child victim of one of our crimes relating to the type of matter described in C. So, that's why I said there're more people and more matters. And so, the people include licensed attorneys, which it always has, but then for immigration proceedings, there are Board of Immigration Appeals accredited representatives that are not necessarily attorneys. And, similarly, the Department of Veterans Affairs can authorize people to be representatives that are not necessarily attorneys. And so those authorized or accredited representatives can provide legal services within the scope of their authorization or accreditation. And then, importantly, a person who functions as an attorney or lay advocate in Tribal court, because Tribal courts, sometimes the person who functions as a defense attorney or an advocate isn't always an attorney, again. So, that person could be providing legal assistance within the scope of appropriate Tribal law.

Here are the types of cases that you can be doing. So, some of these are the kinds of things that have always been: divorce, child support, immigration, employment, education, consumer, contract, all those kinds of things. Typical legal services, I would say. And then, in the criminal context, it's the kinds of things where you're advocating for a victim. So, you might be helping a victim with a victim impact statement or helping a victim assert victims' rights. Then this one is new: alternative dispute resolution, restorative practices or processes intended to promote victim safety. Not sure why there's a gap there. Privacy and autonomy regardless of court involvement. So, either restorative practice might be completely outside of the criminal or civil justice system, but you might still have an attorney or someone representing the victim. So, that could be a legal service.

And then, this last one is a really exciting new one, which is with respect to a conviction of a victim. So, this is a victim of trafficking, for those programs that can do trafficking, that's been convicted of prostitution. But it could also be a victim of domestic violence that was convicted of a drug offense because their abusive husband forced them to sell drugs on their behalf. So, the person is a victim of one of our four crimes, but they were convicted of something that was arising out of that victimization. Our funded attorneys can now represent such victims in things like trying to get their record expunged. Those are the types of post-conviction procedures I'm talking about.

And then, intake or referral still does not constitute legal assistance by itself. So, this is what I was mentioning before. The definition of victim services hasn't changed except for legal assistance is now added. Pre-VAWA 2022, you would have separate legal assistance and legal advocacy. You could do, under legal advocacy, things like protection orders, some types of immigration things, but it was very limited what kinds of legal services you could do. So, for programs that didn't include legal services, you were limited to those things. And now anything goes. See, that whole list of things I was just showing you in the definition of legal assistance can be done by any program that has victim services. Now, the SASP program is a little different because it has intervention and related assistance is what it's providing. It's not providing "victim services." So, that's a little different versus the STOP program. It has victim services, of course; they also have legal assistance. But ICJR, for example, has victim services as a purpose area. They did not have legal assistance. But now they can do legal assistance.

If you look at the solicitations that are coming out this year from OVW, you will see there's a new section that talks about what's new. And mostly, the what's new that you'll see there is with VAWA 2022 stuff. So, it'll say, what's new under this program? You can now do legal assistance. And in a lot of cases, there will be limitations. So, it'll say you can do legal assistance, but you can only do 10% of your project for legal assistance or you can only do 20%, whatever. Each program is different. But the idea is we don't want every single program to turn into LAV 2, LAV 3, LAV 4, et cetera. We want to have it as part of the coordinated community response of whatever thing it is that that program addresses.

Gale has a question. "What about attorneys who are employed by service providers but not engaging in legal representation?" It's sort of tricky in any case. They would be providing victims services now, but there's a certification that is required, and I will come to that a little later because there are some changes in there. If you, as a grantee, are providing legal services or for the formula grants, for the STOP program, if you're funding a sub-grantee to provide legal assistance, then in your application, you need to sign that form and whatever sub-grantees are doing legal assistance will need to sign that form. So, Gale's question is very relevant to "Do I need to have them sign this form?" and -- I guess it's technically a letter. Anyway, do they need to do the

certification? The answer is no. If they're employed by a service provider, but not engaging in legal representation, they're probably not doing legal assistance. But if you go back to that definition, if they're representing victims in Tribal courts, that's legal assistance now, so probably they would need to sign that certification. But, for example, my first job out of law school, I worked at a domestic violence shelter as an education and outreach coordinator. And I coordinated a legal clinic but I scheduled other attorneys into the clinic. Basically, I didn't provide any legal advice or services in that clinic. Had my program been a sub-grantee and my position funded under a sub-grant, we would not have needed that form because I was not providing legal assistance. I was providing victim services, but not in the legal assistance category of victim services, if you like. Hopefully, that answers your question. And I will move on.

That is the last of our definitions, actually, so I will pause for a second. Does anyone else have a question before I move on to grant conditions? And you can either type in the chat or if somebody feels like just unmuting and shouting their question at me, feel free to do that. Okay. Tomika's question, it just says for FGM. I'm going to need more information, but it might be that I'll answer your question when I get to the grant conditions because that's going to explain more about--oh. Let me go back to that definition. So, I assume labiadectomy is the removal of the labia. And you'll see that's number two here. Excision or...

Participant: No, so my question is FGC and the four criteria is usually dealt with people who are, you know, going through ritual procedures, but what about Western medicine, so where people can go in and get their labia removed or smaller? But if they're part of trafficking, and it's not necessarily against their will. How do we distinguish between what our medical system okays and what happens elsewhere?

MARNIE SHIELDS: That is a really good question. The definition says for non-medical reasons, so I suspect, particularly when you're talking about trafficking, then that's not a voluntary procedure, so I think it would be covered. But, Melissa, do you want to put a little asterisk next to that one? Melissa's taking notes, as I said, of the questions. And if it's a question where I'm super confident I know the answer, she's just going to write it down and we'll think about whether it should go in the FAQs. But if there're ones where I might want to do a little more research on that and make sure I'm right, then she's putting the asterisk, so we can double-check. And Judy has noted this can also be an issue for intersex youth, which thank you. That's a good comment.

On that note, I will move on to the grant conditions. First, we have this condition that says "Approved Activities," you can see that throughout this, I'm putting new language in red so that you can see what's been added. So, the current or previous condition said in carrying out the activities, grantees and sub-grantees may collaborate with or provide information to various public officials and agencies to develop and implement policies and develop and promote state, local, or Tribal legislation or model codes to reduce or eliminate our four crimes. And they added a couple of caveats on that. One, is that confidentiality and privacy has to be maintained, and the second, is that personally identifying information is not requested or included in such collaboration or information-sharing.

So, the idea is I'm lobbying for the Abby Honold Act, which I'm going to get to, because that's part of the VAWA that we're going to get to. Presumably, Abby Honold gave her permission and was involved in this. I have no idea. But if I'm a victim service provider and Abby Honold is my client, I can't propose you that should pass this act after my client, Abby Honold, who had all these things happen to her and why this is relevant, unless Abby Honold has signed a release that is VAWA-compliant. So, that would be following the confidentiality and privacy requirements. That's just an example for this. Another thing I want to note about this particular condition is that there still has to be a purpose area in the program. So, for example, the STOP program has a purpose area for legislation and policy to improve the status of victims. I forgot the exact wording. Not every program has that purpose area, and when in doubt, ask your grant manager.

The next condition is where the FGM/C comes in and where the forced marriage comes in, but also the super exciting one for me is B. I think this was in 2013, but they added this provision about trafficking. So, victims who were trafficked and a victim of one of our four crimes could be served by all of our programs. So, just a clarification. You could always serve a victim of sexual assault and if you have a victim of sexual assault who's also been trafficked, you can serve that person, too. But for most programs, it has to be at the intersection. There're a couple programs that actually include trafficking in the program or sex trafficking explicitly, and then you can do it. But for STOP, for example, and for SASP, it would have to be at the intersection. It's a sexual assault victim who's been trafficked who you can serve. And that's what the case is for C, which I'll get to. But for B, this has been a problem throughout the history of VAWA, that adult survivors of child sexual abuse are a big gap because VAWA doesn't cover for the most part. There are a couple of programs that do address children, including the SASP programs, but most of our programs do youth and adult only.

But there're other programs. There's an Office of Juvenile Justice and Delinquency Prevention that funds a lot of child abuse work, and there's an Office for Victims of Crime that funds a lot of child abuse stuff. And that was why VAWA was really seen as this is the adult and adolescent funding because these other programs cover the child

programs. But the adult survivors don't fit into a child program, and there's this gap that no one is serving the adult survivors of child sexual abuse. So, this is one of the changes in the statute that I'm most excited about — the fact that across the board there are programs that can all serve adult survivors of child sexual abuse.

Then, the third prong here, the other new one, is the same as what I just said for trafficking. So, it's a reminder that you can serve victims at the intersection of our four crimes and both FGM/C and forced marriage. So, you could address those issues within the context of you're also serving the person for stalking, for example, or domestic violence — one of our four crimes. So, this is another nice one.

There used to be a provision saying that if you had an unresolved audit, you were not eligible for funds for two years. Unresolved is different than closed, and there's a whole thing about what's an unresolved audit that I'm not going to get into unless you really want me to. But this was good. Instead, they changed it, so if you have an unresolved audit for two years, then you can get technical assistance to help you resolve your audits and prevent future audits.

Now, we get to the LAV certification. So, this is the thing I mentioned that has changed and because of the expanded definition of victim services now including legal assistance, more folks will have to sign this certification. And then, there's been some changes to the certification. So, first of all, it's mirroring the change in the definition of legal assistance. It's listing these other people who could be providing legal assistance. It's saying a person providing legal assistance needs to be one of these things: a licensed attorney, an immigration representative, a veteran's representative, a person who's an attorney or lay advocate in Tribal court. Then, they have to have expertise in providing legal assistance to victims or (and this part is not new) they have to partner with somebody who has that expertise, and they have to have training in conjunction with our crimes and related legal issues, including training on evidence-based risk factors for domestic and dating violence homicide.

Continuing on. So, just a couple of minor changes here. So, they have to have the training program that I mentioned previously. That training program has to be developed with input from a victim service provider or coalition. And they added "or culturally specific," so local or culturally specific victim service provider or coalition. Then, this next one, totally unchanged. They have to inform programs and coalitions, victim service programs, and possibly also law enforcement about their work. And then, last, they have to not require mediation or counseling involving offenders and victims physically together in these cases. Now, one of the things that comes up under this is what if my state law requires mediation? That is fine. You can still sign this certification because that is not the grantee's organizational policies requiring the mediation. It is the state law that is requiring the mediation.

And I see there's a couple of questions. So, regarding B, I'm going to go back to that slide so we can see the B she's talking about. "Adult survivors of child sexual abuse, is that going to be a requirement? I can see that continuing to be a service gap if it is not required to some degree." I hear you, and that's a great point, but these are formula grants that we're talking about. In our discretionary grants we can make it a priority; we can do things to encourage it. In a formula grant that's really up to the state administrator to decide what their priorities are, and that should be part of their implementation planning process. So, for those of you that are from coalitions, you should be part of that planning process and then you can advocate, "This is a new population. They're horribly underserved. We think this should be a priority." But it's not a requirement.

Then I see the next question. "I want to clarify, for B, it just means we can serve an adult who's coming to us for services because they are a child survivor with no other recent assault?" Exactly. So, pre-VAWA 2022, you'd have to ask, "How old were you when you were abused?" And if the answer is, "I was 12," then it's great; I can serve you, even though you're 27 now. If the answer is, "I was five," then the next question is, "Did this continue on or was it just when you were five?" If the answer was just when they were five, then you have to find another way to serve this person because you can't serve them with our money. Now, you can. That's the good news. But in the past, you'd have to say, "Oh, we've got to find another way to serve you," or "We've got to refer you to somebody else who can serve you," unless it was like it started at age five but it still kept going through to when they were 15, anywhere past 11. And so, now you don't have to ask how old were you? If somebody comes into your program and says, "I was sexually abused as a child; I need help," there's no cutoff. And as I mentioned, this was always true for the SASP programs. They did not have an age cutoff. But for most of our programs, it was adults and adolescents only, meaning that they were an adult or adolescent when they were abused, not when they're coming to you for services.

Okay. Now, where was I? Here. Oh, so that's the end. Let's pause for questions because that's the end of the definitions and grant conditions. Now, we're onto the programmatic changes. So, I'm going to pause for a minute, take a breath, and if anyone wants to unmute and shout a question at me, or if you want to put other questions in the chat about the definitions or grant conditions, now would be a great time. Thank you, Misty. I see a question. "Concerning the definitions, if a victim witness coordinator in a prosecutor's office is funded by STOP and they are a victim of technological abuse by a previous dating partner, can STOP cover the hours needed to serve this victim?" Absolutely, yes. So, the previous dating partner is one of the covered relationships, clearly, because it's an intimate partner. Let me go back to that definition real quick just so you can see it. Sorry. Victim services. This part. So, they're a current or former intimate partner of the victim. So, they would be covered as a current or

former intimate partner of the victim, but, also, I think what you were getting at, is this D. They commit acts, those technological abuse acts, against a youth or adult victim who is protected under the family or domestic violence laws of the jurisdiction. That's where that jurisdictional piece comes in. If it's not one of these relationships, but it's still covered in your family or domestic violence laws, then it would still be covered.

Now, let me give you a little caveat about that, because that could be very broad. I used to have a job. After the shelter that I worked at that I mentioned, I worked at the National Center for Victims of Crime, and I was researching every single state law, including territories, on victimization. And so, I saw all the state laws, and a lot of them, what they refer to in their family or domestic violence laws is "family or household members." For example, a victim of a family or household member can apply for a protection order. And then, they have a definition of what is a family or household member. And in some states, they define it pretty narrowly, but in some states, it could be like a roommate. And so, in some of our discretionary programs what we do is we put in the solicitation and in the award conditions that basically we're talking about intimate partner relationships. We narrow the definition of domestic violence so that if it's a roommate, then it's not covered. And so, as a state administrator, again, for those of you on here who are doing STOP, you can put that caveat on your awards also that you're talking about intimate partner relationships and narrow out the ones, like roommates, that might be a household member under your state law but aren't really what you would think of as domestic or intimate violence.

Okay. Next question. Did I answer this one? Yes, I did. "Do the changes apply to future awards or even past awards that are still active?" Thank you for asking that I should have led with that, and I forgot. I really appreciate that you're bringing it up. It applies to fiscal 2023 money. So, right now, this does not apply to anything you have, or anything that you're doing. You would continue to follow the old rules. When you get your 2023 award, then this will apply to that award. For example, I know for the formula, a lot of you have multiple awards open, and this is why we've talked about comingling. And I'm pretty sure Amy sent something to all of you to stop comingling right now on different years, because in the past, it might have been easy for you to say, "I'm going to take my 2019 award and I'm just going to supplement people with the 2020. Instead of having to issue new awards, I just add the 2020 money to it and that way they have enough because one year isn't really enough to do a good project." They need to have some longevity to it. And we're like, "Yeah, that's fine. You have to keep track. There are certain rules about comingling," but we really, really strongly discourage it, starting with the '23 because you've got different conditions and different things going on, all these things I'm talking about, with your 2023 awards that do not apply to the 2022 and earlier, so that we do the same thing, okay?

Right now, it's because of JustGrants and not just because of this, but for example, when VAWA 2013 passed in 2014, which was the first year, we issued everybody new awards instead of issuing continuation awards, which had been our practice. And if they actually fixed JustGrants so that we could do continuation awards, we would do new awards this year for this exact reason, because we're operating under a new statute. And so, we want it to be clear and separated. I think Amy can correct me if I'm wrong. I think we're talking about doing a webinar specifically on that commingling also. But there was definitely some information that went out, too, about that because of what I was just explaining.

So, next question: "Will there be a template for the LAV certification?" Absolutely, there will be. It should already be on our website, actually. Maybe one of the formula team people can look it up and put it in the chat because it should be under, like, resources for applicants on our website now. Because, for example, the LAV solicitation is up and they would have it in the LAV solicitation already — the link to the updated certification. And for the STOP program, there will be a link to it in your solicitation this year. It won't apply to SASP or to coalitions. Thank you, Amy. Yes, we are planning a webinar on this topic. The template will be included in the STOP solicitation for the LAV certification. Thank you.

Next question: "Does the exclusion of roommates force LGBTQ people to come out if most folks only know them as roommates?" That's a very good point, and maybe that's the reason why you do just want to leave it really open to household members, because then they can say, "It's my roommate." And they can still get the protection order without having to come out and say, "Yeah, well, it's my roommate who I'm intimate with." I get that. That's a really good point.

Okay. "Would this include provisions for a parent who's being abused by a child? I know this is not normal, but there have been rising cases, particularly in the elder abuse context. That is often the case that it is a child abusing the parent." So, yes, again, that's a situation where you would look at your state law because that parent-child relationship, it's not a current or former spouse or intimate partner. They're not cohabiting as a spouse or intimate partner. They don't share a child in common, but it's a youth or adult victim protected from those acts under the family or domestic violence laws of the jurisdiction. So, that's when you're going to look at your state law and see, "Is it covered in my state law?" Okay. Emma and Elizabeth, did I miss any questions?

EMMA WEST RASMUS: No. You covered everything.

MARNIE SHIELDS: All right. Then, I will fast forward to our programmatic steps. And so, I started with SASP because there's less to talk about there. There's a lot more for STOP, as there always is. The one big change for SASP, which isn't really a change, it's another one of these things where it's kind of just a reminder. It has the words "direct payments" in the definition of intervention and related assistance. And you will see this. I'm pretty sure SASP Cultural has posted, so you could look at that one. Because there's some language in the solicitations that you're going to see in all of the different SASP solicitations that, if you're going to do direct payments, it has to be for costs related to the sexual assault. And we really encourage you to have the subrecipient pay the vendor directly. So, say it's a sexual assault victim, and they were raped at their house, and they want to get their locks changed. Then, they could go out and find a locksmith and tell you, "This locksmith costs 150 bucks," and then you give them 150 bucks. What we would prefer is you pay the locksmith directly because it's an issue of preventing fraud, waste, and abuse. If, in any event, you need to have careful controls over that direct payment money. And I was thinking of something else that I forgot, but — oh, I know. I know of at least one state that's doing something along these lines already, which is Idaho. And so, they may be a state to look at in terms of how to do this effectively.

And the one other thing, which I think is good news, is that the way the SASP formula works is that each state gets a base amount of 1.5%. So, whatever the available money is for SASP formula, each state, plus DC and Puerto Rico, get 1.5%. And in the past, the remaining territories only got 0.25%. But that base amount has now gone up to 0.5%. So, they'll get the point 0.5% as the base amount, and everybody gets on top of the base amount based on their population.

And I see, thank you, Elizabeth. There is the legal services certification letter.

So, then we move on to STOP. So, first we have amended purpose areas and new purpose areas. So, this is the first of the amended purpose areas. This is purpose area three on police, court, and prosecution policies, protocols, et cetera. And they've added including implementation of the grant conditions, you know, which are those ones I was talking about earlier. There's also a new certification relating to these conditions. And there's new information to put in your implementation plan. I'll get to both of those things. The only thing we could think of when we were talking about this, like, "What would be relevant for developing more effective police, court, and prosecution policies that relates to any of those things?" The only one we could think of was the civil rights condition. I don't know what this really adds to anything, but there it is. And you can see there's a link here that we did a guidance document already that's on our website and that was sent out to you that I have the link here that talks about the new certification and implementation plan requirements. It lists which of the grant conditions are relevant to sub-grantees.

The next amended purpose area is purpose area five, and they just added legal assistance in the second place. So, it was already developing, enlarging, and/or strengthening victim services and legal assistance. There it is. But the second part, developing or improving delivery of victim services to underserved populations, they left out legal assistance. So, they just put it in there.

Next, we have purpose area nine. So, this first part is something they did throughout the act — it's just nicer terminology. Nicer terminology. Instead of saying older and disabled women, they're saying individuals with disabilities and Deaf individuals. And instead of older, it's now individuals 50 years of age or older. And they added legal assistance to this purpose area, also.

Then this one, this purpose area 11 has always been kind of an oddball one: core victim services while supporting complementary new initiatives and emergency services for victims and their families. And now it says, "including rehabilitative work with offenders." So, this would be like batterer intervention or sex offender management. We have always allowed such things. But, again, they're making it clear you can do it, and they stuck it in this particular purpose area.

So, purpose area 20, so this is important because remember how when I talked about the definition grant condition. I said it had to be in that framework of a victim of one of our four crimes who's also a victim of FGM/C. That's not true for STOP if it's under this purpose area. And it's also not true for underserved because underserved has a new purpose area for this, also. So, it's actually in two places in STOP. There's a new purpose area, but because Congress wanted the new purpose area to address prevention as well as intervention, we couldn't have that be in the same purpose area because it would sort of go over this five percent limitation on prevention. And so, it's added to this purpose area so that if you're doing prevention of FGM/C it's under the five percent limit for prevention.

In a minute, I'm going to get to the new FGM/C purpose area. So, here we go. Here are the new purpose areas. This first one is for developing, enhancing, or strengthening programs and projects to improve evidence collection methods for victims of our four crimes, including funding for technology that better detects bruising and injuries across skin tones and related training. And this is really important, I think, particularly the part about bruising and injuries across skin tones, because a lot of the techniques that are used for detection of injury in sexual assault forensic exams really only works on white people, and it doesn't work on other skin tones. And there is research that has begun recently on what techniques can better detect bruising on other skin tones. And so, I think this is exciting to encourage states to fund programs to try to do this better.

Next new purpose area. This is the one I was talking about, the FGM/C. So, because this is a purpose area and it doesn't say victims of our four crimes who are victims of FGM/C, you don't have to have that intersection. You can just do straight up FGM/C. However, it does have to be culturally specific. It's developing, enlarging, or strengthening culturally specific victim services programs to provide culturally specific victims services and responses.

Okay. Next new purpose area: providing victim advocates in state and local prosecution, court, law enforcement, et cetera, to provide supportive services and advocacy to Indian victims. The idea is there's already a purpose area about providing support to Indian victims, but this one is about providing advocates in a state or local — for example, a law enforcement office that's specifically providing services and advocacy for Indian victims. So, you could see this in areas like parts of Minnesota, where they have a lot of urban Indians.

And then, the last new purpose area is about paying for birth certificates or passports for victims or other types of identification cards. I think the idea here is the victim is fleeing. They weren't able to find their birth certificate or they had to leave without their birth certificate. This would enable a sub-grantee to pay the costs of replacing that birth certificate. So, that is the end of the purpose areas.

Again, I'm going to pause, take a breath, drink some water, and you can feel free to chime in either by typing or by speaking with any questions you have up to this point. "Culturally specific for FGC, how is that identified?" That is a really good question. Can you asterisk that one, Melissa? Culturally specific is an implying term, as you probably know, because it's the same definition that's used for the purpose of the set-aside and such, so it's primarily directed towards racial and ethnic minority groups as defined in a different section. And that other section lists the specific groups, so the list is like Black, Asian American, Pacific Islander, Native American. I forget what else is included, but it's those specific groups that are identified in that other statute. And so, it would need to be primarily directed towards the specific racial and ethnic minority group. Usually, we look for things like, who are their staff, who are their board members, what kinds of services are they providing? Inside OVW, we use this term "by and for" a lot because that's the kind of thing we're looking for. Is it an organization and services that are really by and for the specific group or is it some generic victim services program that's saying, "Oh, yeah, we can serve that group." That's the difference.

Next question: "Would the purpose area that covers paying fees to replace ID documents also include fees for court certified gender and name change letters?" I do not think it would because the purpose area in this case is very specific. Sometimes it's

like including for furnishing documents including, and then we would often read it as “including but not limited to,” and then we would say, “Yeah, those are related types of documents.” Sure. But this one isn't like that. This one says it's paying the fees with any of the following documents. So, that sounds a lot more specific — birth certificate, passport, ID card, so I think it's for those specific documents. But can you asterisk that one, too, Melissa, just because it's not a question we've answered. I'm like 99% confident on this one. But just because it's not a question we've talked about in our legal team, I want to just make sure they all agree.

Okay. So, now the new certifications, and you may be disappointed, but I'm keeping this one brief because I'm having a whole separate webinar session on that one, rather than spending a lot of time going through it here, especially because we also have the coalitions and the SASP administrators here. I'm doing a whole webinar just on this new stuff, this particular piece, and there's this document, which is on the slides and which I believe Emma stuck in the chat for you. Yes, I see it there. But there are two new certifications, one having to do with victim-centered prosecutions and the other one having to do with applicable VAWA grant conditions. So, that's that thing again of which of these conditions are applicable, and what it really means when it says “applicable” is that you have to apply it to the sub-grantees.

So, there're also some new implementation planning requirements. There're two new implementation planning requirements. And what this means is that normally you have to submit an implementation plan every four years, and you just submitted it in 2022, so you'd be, like, “Yeah, I can start working on my 2026 plan.” But that's a long way off. And normally, in the off years, you would just have to write a letter saying, “We are sticking to our plan, thanks.” And for this year, that's not going to be true, because you're going to have to address these two new things. At a minimum, you're going to need an addendum that addresses these two specific things. You don't have to redo the whole plan. You don't have to submit a whole new plan, but you're going to have to submit something for these two things. So one is, again, these applicable grant conditions. You're going to have to address here's how we're meeting these applicable grant conditions.

And, again, in the other webinar I'll talk about which conditions are applicable, and you can click on this link and it lists which ones they are. But, for example, confidentiality is one of the conditions, and I'm going to talk about that one in depth when I talk about legal issues for STOP administrators, because that's one where it applies to you and how you do your monitoring. That might be something you'll want to talk about in your IP, and it applies to your sub-grantees in how they provide their services and what they do with client information as they provide their services. How are you going to monitor them to make sure they're compliant? You'll need to address that in your IP. So, that's probably the example of the one that you'll need to go to in the most depth.

And then, the second one, the letters from prosecution, law enforcement, court, and victim services to be assisted. If you remember, they have to talk about the demographics. They have to talk about the need for the funds, the intended use of the funds, and the expected result of the funds. And I can't believe I remembered all those four things without looking at it. Usually I can remember three, but not four. There's a change that the demographics in the letters have to include sexual orientation and gender identity in the demographics. If you already did that, because some states, when I first did the webinar on these changes, were like, "Yeah, we'll just do it in 2022." If you're sure your letters have it in 2022, I think probably we'll have some way you could resubmit the letters or send something saying, "We did it already." We obviously don't have the solicitation out yet. So, this isn't firm; that's something the unit will decide. I'm just guessing. But probably you will need to resubmit the letters because you'll need to include that additional demographic information and then you'll need to make sure to include the other information need, intended use, expected results.

And I'm just going to sort of throw in an extra note here because, for whatever reason, this is something that every year on the implementation plan, seems to be really hard for the states to get right. Some states submit a letter of support that's more just like, "We support the state implementation plan," or they're missing intended use and expected results. These things are all very similar, and I did see one state where they sort of said, "Our need is the same as our intended use, which is the same as our expected result, which is to hire advocates who will serve more victims or something." I'm making up the specifics, but you get the idea. But it has to really address all four things. And I see a question, oh, I see a comment from Melissa, the STOP certification session will take place the third week as part of the NGO. Thank you. So, stay tuned for that.

And then, a question: "Since census data doesn't ask for these demographics and only programs that have clients volunteer this information, what is a good way to get this information?" That is a very good point. And I would love if there's other state administrators that have a really great way of doing this. Please chime in. But that's something we understand. We're not going to expect you to have something perfect on that, best estimate and what the source is of coming up with that estimate. If you have LGBT programs you can talk to that have ideas about the population, they serve that maybe can be extrapolated, you could do something like that. Here's what our programs say they're serving. We think that's really underreported. So, we think it's really this. Do your best, but at least say something, and make it convincing that you did your best.

I'm going to pause again because then we're into another new thing. So, any other questions about the implementation plan or the certifications? Oh, I see a question already. Thank you. "Is the age requirement completely removed for STOP? You mentioned if the victimization happened when they were five and now an adult, they can provide services. What if the victimization is currently happening and they are age five, can STOP provide services for those individuals?" Unfortunately, they cannot. This is going to be true for the state coalitions that are funded under STOP, the SASP, but the little extra money the sexual assault coalitions get and DOA coalitions for sexual assault doesn't have this limitation. But the STOP formula money and the money that comes out of STOP for state coalitions has to be 11 and up because it's youth and adults. If the adult that comes in is talking about "I survived child sexual abuse in my past," you can serve that adult. But if it's a five-year-old or even if it's a thirteen-year-old that says, "I was abused when I was five and it ended when I was six," they cannot be served with STOP. Except for that one thing, the adult survivors, it has to be 11 and up when they were victimized.

And I see a comment. Thank you. This looks helpful. Williams Institute out of UCLA, (Go Bruins) has a lot of data on LGBTQ people in the U.S., and there is a link. Thank you so much for that. And apologizing for my UCLA spirit, but my whole family is all about UCLA. I lived in the LA area.

I will move on to the new incentive program. Now, this is not technically part of VAWA. There were two incentive programs that weren't part of VAWA that did not get funded. So, I'm not going to talk about them because there's no money. When I get to the part about new programs, I'm only going to talk about the ones that have money because the ones that don't have money may never get money. And so, there's no point in thinking like, "Ooh, what a great new program. I'm excited about that." It may never exist. Might as well not exist. But this program was in the National Defense Authorization Act for Fiscal Year 2023. Not from VAWA, but because it did get funding, I threw it in here. You have received information on this from Amy. If you did not, please make sure you get it, because we have money for this this year. Applications are due, I believe, in April, but I don't remember the exact date. You have to have victims' rights laws for sexual assault survivors that match the rights under 18 US Code 3772, which is the victims' rights for federal victims of sexual assault. And on the next slide, I have the list of what those rights are. So, if you're wondering, "What the heck are those rights?" I got you.

States with qualifying victims' rights laws — this is very much like the child custody one that you already have had for many years. If you have a qualifying law, you can get up to 10% of the average of your three most recent STOP awards. Unlike the custody one, it's only for STOP. It's not for SASP. And you can get it up to four times. And it's the same kind of process as what we do with the Rape Survivor Custody Act, where you'll

need a letter from your attorney general or some equivalent legal authority in your state, and it will need to say, we qualify. We have the victims' rights that meet the standard, our state provides these specific victims' rights, and you'll need to provide a citation of the basis for that. So, what law are you looking at in the state? So, we will look at your law and we'll line it up with the federal law and see do we think it matches. Most of these rights have to do with forensic exams. So, it's things you can't be prevented from or charged for a forensic exam. Now, the charged for part is going to be covered by however you're meeting the forensic exam payment certification or at least it should be. So, you should have that one covered. The right not to be prevented from getting an exam is a little different, though, because that's saying that you can't have gatekeepers, basically. And then, you have a right to have the kit be preserved for the statute of limitations. You have a right to be informed if they're destroying the kit and to appeal that decision to destroy the kit, those kinds of things. So, anyway, again, I'm not going to read the whole thing, but that's the list of rights.

And I see a comment, and you are absolutely correct. This does not have to be a constitutional amendment. It just has to be a law. What about time for reserving? You mean preserving kits? That sort of goes into storage thing. It has to be preserved for either the statute of limitations or 20 years, whichever is shorter. So, these are the new programs that we have money for. As I said, I'm not even going to talk about the programs that do not have any money because I don't see the point. But these programs we actually got money for in the 2023 appropriations.

The first one, the restorative practices, is the one and only program and VAWA 2022 that we even got money in the 2022 appropriations. It's a whole complicated new thing and so we have not yet issued a solicitation yet. We've been actively planning for it, having listening sessions, et cetera. It's very complicated because the statute is very defined about what constitutes restorative practice, what kinds of protections have to be there for victims, things like that. The second one is the Abby Honold Act, which is a Demonstration Program on Trauma-Informed, Victim-Centered Training for Law Enforcement. And there's a second law enforcement program that's just more of a broader law enforcement prosecution program. That is a not authorized program, but it was given to us in the appropriation. So, there's actually going to be two new law enforcement programs that came out of the 2023 funding that we received. Then there's the LGBTQ Specific Services Program, so sort of similar to our underserved program or one of our culturally specific programs, but specific to LGBTQ services.

And then program that I've been most immersed in the last one. So, Tribes under VAWA 2023 created — created is the wrong word — but basically a special domestic violence criminal jurisdiction was a part of VAWA 2013. And this act changed it to VAWA special tribal criminal jurisdiction, because they added several more crimes, things like child abuse, sexual assaults, assault of a law enforcement officer. And in the

2013 Act, there was a grant program for Tribes to implement this jurisdiction because they might need to pass statutes to do it. They might also just need to hire law enforcement officers and judges and prosecutors, and they might need jail time, and things like that. And so, this new program is to reimburse Tribal governments for their expenses in exercising jurisdiction over non-Indian offenders. So, it could be things — the same kinds of things, you're paying for jail time, paying for medical expenses for offenders, paying for defense attorneys, those kinds of things. So, just random key changes to the programs, and well, I should have typed this bigger. I apologize for that. So, there's increased authorizations for some of our programs. Now, I'm guessing that many of you don't know the difference between authorization and appropriation, and I've been talking about both. So, I feel like maybe I should give you a little primer on that. Would that be helpful? Meaning to say...

EMMA WEST RASMUS: Yes, Marnie.

MARNIE SHIELDS: ...silent says yes.

EMMA WEST RASMUS: Just go ahead. Yes.

MARNIE SHIELDS: So, the idea is an authorization act like the Violence Against Women Reauthorization Act, like any of our authorizations sort of sets an estimate like we think this is how much this program is worth. For example, we think the Sexual Assault Services Program is worth \$100 million. But that doesn't mean we're going to get \$100 million. There's a whole separate process for actually giving us the money every single year. And sometimes what happens like VAWA 2022 was late, right? VAWA 2013 had expired by that point. And so, there was all this press, "Oh, no, VAWA is expired. What are we going to do?" It doesn't matter. Congress keeps giving us the money anyway. They still appropriate the money every single year. So, they might follow the guideline. They might be like, "Oh, look, this program is authorized at \$100 million. That means it's worth that much and there's that much need for it. So, we're going to give you \$100 million." Usually, it doesn't work that way. Often, they just follow what they did in previous years. So, they'll look and say, "Okay. We gave you \$40 million. We're going to give you \$40 million again." Sometimes there are small increases. This year, there were increases in several programs. I don't remember specifically how much STOP or SASP

went up, but I'm pretty sure there were increases in both of those. Anyway, that's the difference.

So, what I'm showing in this slide is the increase in authorization amounts, but that doesn't mean we'll actually get that money appropriated in any of the years. So, anyway, the disability program had a significant increase up to \$15 million from \$9 million. There're two different children and youth programs that are authorized. But this is a great example. These two programs were authorized in 2013, but they have never been appropriated. We get an appropriation for a consolidated children and youth program, but it's not actually these two programs that are in the statute. But the authorization for those two programs increased, and then the rural program doubled the authorization (Whoops. I did it again. I'm so sorry.). And then there's several provisions expanding services to underserved populations, including culturally specific communities, including, as I've talked about, those new purpose areas for culturally specific responses to FGM/C in the STOP and underserved program or culturally specific program is primarily funded by set-asides from other programs, and the set-aside for that program increased. There's a new annual appropriation also for the culturally specific. So, it used to only be funded by set-asides, but there is an actual authorization now. And then, as I mentioned before, the new LGBTQ program.

So, I see a comment: "The increase in SASP is great, but I hope it's not just one year because planning is so important for at least a few years to give innovative new programming a chance. I think our SASP saw a 30% increase this past year." You know, I can't speak to that. The Congress does what Congress does. I know a lot of you are also VOCA Administrators. And so, I've seen some of the complaints from VOCA Administrators of how the VOCA funds went up and you started to do some of that work on finding new programs and really exciting things you could do with that money, and then it dropped back down. And then it was, "Well, great. What are we going to cut now that it went down?" So, I definitely hear you about the challenges, and that's just the way the appropriations process works. We also hope that it will be a continuing thing and not just a one-year thing, but, you know, Congress changes, administrations change, priorities change. You just never know.

So, here are some other changes to OVW programs generally. The disabilities program was expanded to cover caregiver abuse. That's really important. There was a cap on campus program awards that limited how much we could give that's been lifted, which is, again, really helpful. They've amended those two programs, the youth programs I mentioned that were never appropriated, to align better with how we administer the consolidated funding that we receive. And they created an innovation fund, which is very exciting because unlike, for example, OVC where they have some discretionary money, and so people ask like, "Well, how come OVC can just do all these exciting things and you don't do these same kinds of exciting, you know, pilot projects, and

demonstration projects, and things like that that OVC does?" It's because our funding is super regimented, like we have these really detailed statutes that tell us exactly who we can give the money to and what they can do with it. That's why this innovation fund is really exciting, because it allows us to take up to one percent of our appropriations, and we can do emerging issues. For example, prior to this FGM/C addition in VAWA 2022, (Why do I keep doing that?) we would get a lot of questions, "Why can't you do FGM/C? This is a really important area. It's a form of violence against women. We really think you should be in there." And be like, "Our statute doesn't let us, we can't." And so now, if there's a need and a gap on something like FGM/C, we could be like, "Oh, yeah, let's do a pilot with our innovation fund." So, that's where that is exciting, gives us some flexibility.

Some other key things at DOJ, in case you're interested — again, this is in my tiers. Now, we're into that bottom tier where, just an FYI, doesn't really affect you. There's a whole chapter on the Bureau of Prisons, including a pilot project permitting incarcerated mothers and children to reside together. There's what's known as the Municipal Fix. This is something we're very excited about because we've wanted a long time. Under the Gun Control Act, persons convicted of a qualifying misdemeanor crime of domestic violence cannot possess a firearm or ammunition. And up until now, it was a misdemeanor under state, federal, or Tribal law. And so, they added municipal law, so that if the person is convicted of a municipal ordinance that would qualify as a misdemeanor crime of domestic violence, then it would also act to prohibit them from possessing firearms.

There were some other firearms saying there is a National Instant Criminal Background Check System or NICS, which is the system used to see if somebody is prohibited when they try to purchase a firearm. A denial notification act relating to that to help state law enforcement know when somebody's tried to illegally purchase a firearm. It's created in at both OVW and OJP position of Senior Policy Advisor for culturally-specific communities. And then more key DOJ provisions. Sorry if this is a lot. Closes the law enforcement consent loophole by providing, this is important, accountability for people who commit sexual assault acting under color of law. So, that's like a police officer who sexually assaults the prostitute they arrested in the back of their car, that kind of thing. Eliminates the marriage defense, the federal statutory rape crime, amends the sexual assault rights, those ones that you will have to have if you want to get the extra money to include the right to be informed of the status and location of an evidence collection kit. There's a working group on harmonizing federal data collection about sexual assault. There's a DOJ and Department of Ed joint task force on sexual violence.

And there is a question: “What about the Texas Supreme Court decision saying someone involved in DV can still possess a firearm?” That is a great question. The department is doing a lot to sort of work on the response to that. It was not the Texas Supreme Court. It was the Fifth Circuit, which is probably worse because that governs not just Texas but other circuits. My guess is that eventually this issue will trickle up to the Supreme Court, and who knows what will happen to it, but for now, in most states, it's still the case that a person convicted of a misdemeanor crime of domestic violence cannot possess a firearm. And actually, that case was about protection order, it's not misdemeanor. So, the misdemeanor crime of domestic violence was unaffected by that. All right.

These are just sort of random things not in DOJ. One of these is part of the Full Faith and Credit provision, had in the past, there was added a provision that you can't publish a protection order on the internet if it identifies a victim. And so, there was a clarification that this applies to all protection orders regardless of which jurisdiction issued the order. In other words, if another state issues the order and then the victim tries to register it in your state, you can't publish it on the internet in a way that identifies the victim. It increases the rape prevention and education program. Some of you may administer that or be involved with it if you're the coalition. Again, that's an authorization increase, so we'll see if there's any accompanying appropriation increases. Directs the Attorney General to develop a national strategy to reduce cybercrimes against individuals.

More new things. The GAO — you might have heard from them — I think they were going to talk to some state administrators. They're doing a study on state coverage of cost of sexual assault forensic exams and related medical expenses, including information on the state's implementation of the STOP certification. And they have definitely started on that. Then, there's a whole lot of other forensic exam provisions at HHS, which I did not list them all because they are numerous. But there's a study on practices relating to forensic exams, a clinical education pilot program, a TA resource center, and that's just to name a few. And I'll just leave it on that. That is the end of what I have prepared for you today. So, I am happy to take any questions if you would like. We have lots of time, so no hurry.

ELIZABETH: Hey, Marnie. It's Elizabeth. Jane asked a question a couple of comments up about age 11 in STOP funding.

MARNIE SHIELDS: Oh. Did I not get that one? Oh, okay. “Please review why STOP funding only starts for sexual assault victims at age 11.” Yes. I will do that. It's complicated. Originally in '94 when the act was passed, it was adult only. Not even

youth. And dating violence wasn't in there. And then, VAWA 2000 added dating violence and then, dating violence is really about teens, so then it should really be teens and adults. And so, then it was 13 and up. For dating violence, it was murkier for sexual assault. At some point, I think, maybe it was just in analyzing like that, what does that really mean that we added dating violence? So, then it was like, "Okay, youth and up." Then, VAWA 2013 added a definition of youth. And so, the definition of youth, I'm finding the exact wording — can we go to the next slide? The term "youth" means a person who is 11 to 24 years old. So, for both sexual assault and any other crimes, it's basically the idea is that except where otherwise specified, VAWA applies to youth and adult. And youth is 11 and up. If they are under 11, then they're considered a child and not a youth. And there are some programs, for example, the rural program that says child, youth, and adult. The SAS Program specifically talks about victims of any age. So, those programs can do any age, but unless there is specific language in the statute like child, youth, and adult or like victims of any age, then it has to be 11 and up.

Okay. Next question: "Since the STOP program in 2023 will no longer allow security over leftover funds into the subsequent years, will states have flexibility to use leftover, for example law enforcement funds, to fund programs where we have excess applications or will leftover LE funds lapse if we don't have enough applications?" So, that goes to something, and I'm pulling the exact language in the STOP statutes, if you give me one second. Basically, there's a reallocation provision, and this was added in the previous authorization. And there's two circumstances under which you can reallocate funds. And the way your question was phrased, you could be talking about either of these conditions. Here it is. Reallocation of funds. "A state may use any returned or remaining funds for any authorized purpose under the sub-chapter." So, that's the idea. Any purpose area, any allocation category if, one, funds from a sub-grant awarded are returned. So, you issued it to law enforcement and they didn't use all of it, they sent it back. You met your allocation. You issued it to law enforcement. You're now free to use that money assuming you have time left before the end of your award. You could reallocate it to victim services.

The second category is if the state does not receive sufficient eligible applications to award the full funding. So, you just didn't get any law enforcement that applied and now you're, like, "What do I do about this law enforcement money?" If you go to our regulations (and this will take me longer to find, I think) we have a whole bunch of information on reallocation of funds and what is required because this isn't just a thing of, "Hey, we put out a solicitation. No law enforcement applied. We're going to reallocate it to victim services." It's more complicated because you're going to have to show that you really made an effort to meet the specific allocation and you really couldn't do it. So, the regulations include somewhere that I haven't found yet, what it is that you need to document.

And you are not required to do a GAM for this. I think it would be a GAM. The whole thing in JustGrants still confuses me, but I think it would be a change of scope GAM, if I'm not wrong, but someone in the unit can chime in if I am totally wrong. Here it is. It's 28 CFR 90.25, reallocation of funds. So, again, you don't have to do a GAM. We encourage you to do it, because then if we later do a site visit or we're looking at your progress reports and we're like, "Why did you only have 10% law enforcement? You know you were supposed to have 25, right?" Then you'll be like, "Go back and look. You approved that GAM." Instead of having it justified after the fact where we might be, like, "Yeah, that's not really good enough justification," and then we have problems. If you do the GAM, then we see the GAM, we make sure your justification is sufficient and everybody's happy. So...

AMY: Marnie?

MARNIE SHIELS: Yeah.

AMY: Hey, this is Amy. I think there might be two issues that are being conflated, one about reallocation but then the other one about using 2023 funds with previous year funding. And so, I think that — I didn't mean to stop you — but I did want to say, again, we're going to be having a webinar about why you shouldn't mix your 2023 money with previous year funding. And I think that we can get into that question about, "What do we do if we have remaining 2021, '22 funds." And some of it would be about reallocation potentially, but I think it's coming into several different topics.

MARNIE SHIELS: Okay. That's helpful. Anyway, if you look at the regulations, we have a whole list of things for reallocation, things like a copy of your solicitation, documentation on how it was distributed. For example, if law enforcement is what you're talking about, is there, like, a state law enforcement association? Did you work with that association to talk to them about how to best reach their members, and what could you do to make the application something that they would want to apply for, those kinds of things, who participated in the selection. Were there law enforcement applications that you did not fund and why did you not fund them? So, you don't necessarily have to fund every single law enforcement application if that's the category you're low on, but I'd want to know the ones we didn't fund have significant activities that may compromise victim safety, and therefore, they were not fundable, that kind of thing. They had significant

out-of-scope activities, those types of things. And, yes, I can try to put that regulation into the chat. There we go. It is 28 CFR 90.25.

And in the session that I do on legal issues for STOP administrators, I go over the resources about this program and how to find them, because for those of you that are new grant administrators, in addition to reading the solicitation, I encourage you to read the statute for your program and the regulations for your program. And so, the 28 CFR part 90, so all the 90s are the OVW regulation. So, there are sub-definitions and grant conditions that apply to everybody, and then there's STOP and then ICJR also has regulations.

So, thanks, Jean. "Is there, like, an updated regulations that relate to the 2022?" You're funny. No, we have not updated the regulations yet. Let me tell you kind of the order of priority of things. First of all, the process of doing regulations takes a really long time, and it's hard to do. But that program I was talking about, the tribal reimbursement program, requires regulations. And they're supposed to be out by a year from when VAWA passed. Yes, we're still referencing the November 29th, 2016, regulations. Anyway, so we had to prioritize those regulations because they're due out in less than a month now. Then, the next step, I think, will be the FAQs just because it's an easier process, and we can get you information and we've also prioritized things like, you know, things where we can just do some quick guidance like the document that's been linked on the new certifications and implementation plan requirements, those kinds of things. And then, we will turn to the regulations for sure. It's on the to-do list. But there're so many other things that have to get done first, so that's kind of where we're at.

So, somebody says they weren't able to click on the link to the new certifications. Was that the one for the LAV certification or the one that's the document that was sent out with the information on the new STOP certifications? And then I'm not sure. Maybe somebody can send it to her directly. And then, Amy noted we will be hosting a webinar separate from the NGO about the 2023 funding and the previous year funding issue. We've already started speaking with you all. The webinar will be more specific and will be Marnie and Erin from GFMD. "When will the video be able to review? This is a lot of information." It is. I'm sorry. I think Emma said the end of the month, 30 days.

MELISSA: Yeah.

MARNIE SHIELDS: Thirty days?

MELISSA: It's all recordings, all the sessions are being recorded. And all of the recordings will be made available 30 days after the end of the NGO. So, this goes for three weeks. After that three-week period, they'll be 30 days, and then we will post it to the TA.2.TA website and we will send out communication about its availability and how to access it.

MARNIE SHIELDS: Yeah, okay. Can somebody send Amy the document on the new STOP implementation planning requirements?

MELISSA: That is on the portal. Are you talking about that document that you created, Marnie, that...

MARNIE SHIELDS: Yes.

MELISSA: ...use the information about it?

MARNIE SHIELDS: Yup.

MELISSA: Yes. Oh, good. And Emma will follow up and send it directly, but just for everybody's knowledge, if you go to the portal, click on your relevant page, you know, STOP or state administrators or coalition directors' information, click on the materials button and go to the weeks. You'll see each session, and there will be materials there for you to download and that document is there. I believe that will be connected to the third week because that's a little bit when you're talking about certifications for STOP and that sort of thing.

MARNIE SHIELDS: Yeah.

MELISSA: But if you have questions, reach out to your program manager, and we can help you either send it directly or help you navigate the portal.

MARNIE SHIELS: Any other questions? Well, I'll assume we can keep this open for a little bit if people think of questions in the next five minutes or so. You can still chime in. Glad to be of help. I know this is a lot. Every time it's reauthorized, it's a lot for everybody to learn, including us. Thought I was past the drinking from a fire hose stage. No, sorry.

JEAN: Marnie?

MARNIE SHIELS: Yup.

JEAN: This is Jean. It might be a silly question to ask, but I had a conversation earlier this year with a fellow administrator who said that somebody in their state said if funds come back and returned from sub-grantees, that we could then reallocate them to any of the categories, unless it was for courts. And I didn't agree with that.

MARNIE SHIELS: No. Oh.

JEAN: Because of the way it was written in the regulation.

MARNIE SHIELS: Right. Yeah. So, they're conflating two different things.

JEAN: Uh-huh.

MARNIE SHIELS: So, you're correct. Anything that comes back can get reallocated, doesn't matter if it's from courts, whatever allocation it was in originally, as I said before...

JEAN: Uh-hmm.

MARNIE SHIELDS: Like, you gave your five percent to courts, you made the allocation. The courts give it back. That's not your fault. You made the allocation. You can reallocate it as long as you have enough time left in the award, so be careful about that.

JEAN: Uh-hmm.

MARNIE SHIELDS: What they're thinking about is the fact that in the statute, some of these allocations are phrased as "to."

JEAN: Yes, exactly.

MARNIE SHIELDS: Whatever entity and some are "for."

JEAN: Yeah.

MARNIE SHIELDS: So, if it's "for" then it can go to benefit that. So, for example, law enforcement is for. You can give law enforcement money to your state coalition or a victim service provider to train law enforcement. The benefit is to law enforcement. It's fine. The court money and the culturally specific money both use the word "to." So, it has to go to a court. You can't give court money to a victim service provider or anybody other than a court.

JEAN: Initially?

MARNIE SHIELS: Initially. That's right. If the court sends it back, then you're free to do whatever.

JEAN: Oh, thank you so much for that.

MARNIE SHIELS: Sure.